

ALLEGED SHIPMENT: Between the approximate dates of November 18, 1943, and January 5, 1944, from the State of Colorado into the States of Washington, Wyoming, and Utah.

VIOLATIONS CHARGED: Pyridamide Tablets, adulteration, Section 402 (b) (1), valuable constituents had been in part omitted or abstracted from the article in that it was represented to contain in each tablet 3,000 International Units of vitamin B₁, equivalent to 9 milligrams of thiamine hydrochloride, 0.6 milligram of vitamin B₂, 600 International Units of vitamin C, equivalent to 30 milligrams of ascorbic acid, and 30 milligrams of nicotinamide, whereas each tablet of the article contained not more than 1,800 International Units of vitamin B₁, equivalent to not more than 5.4 milligrams of thiamine hydrochloride, not more than 0.25 milligram of vitamin B₂, not more than 19.5 International Units of vitamin C, equivalent to slightly less than 1.0 milligram of ascorbic acid, and not more than 3.8 milligrams of nicotinamide. Misbranding, Section 403 (a), the statements on the label of the article, "Each Tablet contains: Vitamin B₁ . . . 3000 International Units (Thiamin Hydrochloride 9. mg) Vitamin B₂ * * * (Riboflavin .6 mg.) * * * Vitamin C . . . 600 International Units (Ascorbic Acid, 30. mg.) Nicotinamide . . . 30. mg.," were false and misleading.

Thiamin Chloride Solution, adulteration, Section 402 (b) (1), a valuable constituent, thiamine chloride, had been in part omitted or abstracted from the article since a portion purported and was represented to contain 16,650 units of thiamine chloride (vitamin B₁) in each 30 cc., equivalent to 50 milligrams per cubic centimeter, whereas it contained not more than 13,586 units of thiamine chloride in each 30 cc., equivalent to not more than 40.8 milligrams of thiamine chloride per cubic centimeter; and the remainder was represented to contain 33,300 units of thiamine chloride in each 30 cc., equivalent to 100 milligrams per cubic centimeter, whereas it contained not more than 25,974 units of thiamine chloride in each 30 cc., equivalent to not more than 78 milligrams of thiamine chloride per cubic centimeter. Misbranding, Section 403 (a), the statements on the labels of the article, "30 cc Thiamin Chloride Vitamin B₁ (16,650 Units) (50 mgm. 1 cc) [or "(33,300 Units) (100 mgm. 1 cc)"]," were false and misleading.

The information also alleged that another product, Thiamin Chloride Tablets, was adulterated and misbranded under the provisions of the law applicable to drugs, as reported in the notices of judgment on drugs and devices.

DISPOSITION: February 3, 1945. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$5 on each of the 10 counts of the information.

8087. Adulteration and misbranding of Mont-O-Min vitamin products and adulteration of Minavit No. 1. U. S. v. Frank E. Bucklin (F. E. Bucklin Co.). Plea of guilty. Fine, \$250. Nine months' jail sentence suspended and defendant placed on probation for 2 years. (F. D. C. No. 11428. Sample Nos. 36370-F, 36372-F to 36374-F, incl., 39764-F.)

INFORMATION FILED: October 13, 1944, Southern District of California, against Frank E. Bucklin, trading as the F. E. Bucklin Co.; charging the defendant with shipping various vitamin preparations from Los Angeles, Calif., to Albuquerque, N. Mex., between the approximate dates of November 18, 1942, and March 24, 1943; defendant also charged with the giving of a false guaranty to the Soltan Corporation, Los Angeles, Calif. The guaranty was given by the defendant on or about March 27, 1942, and provided that all articles furnished by the defendant to the latter firm, then or thereafter, would be neither adulterated nor misbranded. On or about July 6, 1943, the defendant sold and delivered to the Soltan Corporation a quantity of vitamin tablets which were adulterated. These were packaged by the Soltan Corporation and shipped by that firm from Los Angeles, Calif., to Tucson, Ariz., on or about August 2, 1943.

LABEL, IN PART: "Mont-O-Min Mont-O-Ad [or "Mont-O-Cee," "Mont-O-Min," or "Mont-O-Plex"] * * * Mfg. Exclusively for Montmorillonite Corp. Albuquerque New Mexico," or "Soltan Minavit No. 1 S. C. Yellow."

VIOLATIONS CHARGED: Misbranding of Mont-O-Ad, Section 403 (a), the label statement, "Each tablet provides: Vitamin A 1500 I. U., Vitamin D 150 I. U.," was misleading since each tablet of the article would not furnish the user with 1,500 International Units of vitamin A and 150 International Units of vitamin D, in that the article was subject to deterioration and its labeling failed to reveal the fact, material in the light of the label statement, that the article was an unstable source of vitamins A and D and would deteriorate and

lose vitamin potency. Further misbranding, Section 403 (a), the label statement, "Each Tablet Provides * * * Iron 6.8 mg.," was false and misleading since each tablet of the article would provide not more than 1.9 milligrams of iron.

Adulteration of remaining products, Section 402 (b) (1), valuable constituents of the articles had been in part omitted, as follows: The Mont-O-Cee was represented to contain 68 milligrams of iron per tablet, but contained not more than 1.6 milligrams of iron per tablet; the Mont-O-Min was represented to contain 4.5 milligrams of iron per tablet, but contained not more than 2.5 milligrams of iron per tablet; the Mont-O-Plex was represented to contain $\frac{2}{3}$ milligram (666 gammas) of vitamin G (B_2) and 5 milligrams of iron per tablet, but contained not more than $\frac{1}{6}$ milligram (equivalent to not more than 167 gammas) of vitamin G (B_2) and not more than 1.8 milligrams of iron per tablet; and the Minavit No. 1 was represented to contain 365 gammas of iodine per tablet, but contained not more than 52 gammas of iodine per tablet.

DISPOSITION: November 20, 1944. A plea of guilty having been entered, the defendant was fined \$50 on each of 5 counts and sentenced to 9 months in jail. The jail sentence was suspended for 2 years on the condition that there be no further violation of the Food, Drug, and Cosmetic Act by the defendant.

8088. Misbranding of Galen vitamin preparations. U. S. v. Galen Co. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 12561. Sample Nos. 64921-F to 64923-F.)

INFORMATION FILED: November 2, 1944, Northern District of California, against the Galen Co., a corporation, Berkeley, Calif.

ALLEGED SHIPMENT: On or about October 27, 1943, from the State of California into the State of Washington.

LABEL, IN PART: "Galen 'B' One Pint A Completely Soluble Concentrate of the Vitamin 'B' Complex Prepared From Rice Bran," and "Elixir Galen 'B' Fortified One Pint Elixir Vitamin B Complex."

VIOLATIONS CHARGED: Misbranding, Section 403 (j), the Galen "B" Concentrate purported to be and was represented for special dietary uses by man by reason of its vitamin content in respect of vitamin B_1 , riboflavin, vitamin B_6 , and pantothenic acid, but its label did not bear, as required by the regulations, (1) a statement of the proportion of the minimum daily requirements for vitamin B_1 and riboflavin which would be supplied by the product when consumed in a specified quantity during a period of 1 day, (2) a statement of the quantity of vitamin B_6 and pantothenic acid in a specified quantity of the product, and (3) a statement that the need in human nutrition for vitamin B_6 and pantothenic acid has not been established.

Misbranding, Section 403 (j), the Elixir Galen "B" purported to be and was represented for special dietary uses by man by reason of its vitamin properties in respect of vitamin B_1 and riboflavin, and by reason of its mineral properties in respect of iron and manganese, but its label did not bear, as required by the regulations, a statement of the proportion of the minimum daily requirements for vitamin B_1 , riboflavin, and iron which would be supplied by the product when consumed in a specified quantity during a period of 1 day, a statement of the quantity of manganese in a specified quantity of the product, or a statement that the need in human nutrition for manganese has not been established.

DISPOSITION: May 7, 1945. A plea of nolo contendere having been entered, the court imposed a fine of \$250 on each count, a total fine of \$500.

8089. Misbranding of Supplemental Concentrates Formula No. 4 and apple concentrate. U. S. v. Richard B. Summerhays (Dietary Research Laboratories). Plea of nolo contendere. Sentence suspended for 2 years. (F. D. C. No. 12578. Sample Nos. 53826-F, 53827-F.)

INFORMATION FILED: November 24, 1944, Southern District of California, against Richard B. Summerhays, trading as the Dietary Research Laboratories, Los Angeles, Calif.

ALLEGED SHIPMENT: On or about November 4 and 9, 1943, from the State of California into the State of Arizona.

PRODUCT: Analysis of the Supplemental Concentrates Formula No. 4 showed that the product consisted chiefly of vegetable matter including large amounts of alfalfa and wheat, a small amount of kelp, a trace of yeast, a probable trace of rhubarb root, and small amounts of other unidentified vegetable matter,